



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/614,391	07/08/2003	Rodney E. Massie	110275.128 US1	1745

24395 7590 09/09/2005

WILMER CUTLER PICKERING HALE AND DORR LLP
THE WILLARD OFFICE BUILDING
1455 PENNSYLVANIA AVE, NW
WASHINGTON, DC 20004

EXAMINER

HUYNH, CHUCK

ART UNIT	PAPER NUMBER
----------	--------------

2683

DATE MAILED: 09/09/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

DETAILED ACTION

Election/Restrictions

1. Restriction to one of the following inventions is required under 35 U.S.C. 121:
 - I. Claims 1-10, drawn to a system enabling a first device operatively communicable with at least a primary wireless network to transmit a device query to a wireless device communicating between primary and secondary network, comprising of a host, a switch and a routing switch, classified in class 455, subclass 428.
 - II. Claims 11-30, drawn to a system operating communication to a wireless device communicable between primary and secondary network comprising a host, a switch and a web server, middleware server, an internal routing server, and other multiple servers, classified in class 719, subclass 311.
 - III. Claims 31-77, drawn to a system operating communication between a wireless device and a primary network and at least a secondary network for profile retrieval for manipulation and addition of radio frequency header, classified in class 455, subclass 432.3.
2. Inventions I, II, and III are related as combination and subcombination.
Inventions in this relationship are distinct if it can be shown that (1) the combination as claimed does not require the particulars of the subcombination as claimed for

Art Unit: 2683

patentability, and (2) that the subcombination has utility by itself or in other combinations (MPEP § 806.05(c)). In the instant case, the combination as claimed does not require the particulars of the subcombination as claimed because the particulars of group II and III does not require for the system of group I. The subcombination has separate utility such as the usage of multiple servers such as a web server, middleware server and internal routing server, or a profile retrieval for manipulation and addition of radio frequency header.

3. Because these inventions are distinct for the reasons given above and have acquired a separate status in the art as shown by their different classification, restriction for examination purposes as indicated is proper.

4. A telephone call was made to Irah Donner on 8/31/2005 to request an oral election to the above restriction requirement, but did not result in an election being made.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Chuck Huynh whose telephone number is 571-272-7866. The examiner can normally be reached on M-F 8am-5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Trost can be reached on 571-272-7872. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2683

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Chuck Huynh



**WILLIAM TROST
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600**